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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,367	01/25/2002	Jonathan Chung	9818-060-999	3942
20583	7590	11/07/2003	EXAMINER	
PENNIE AND EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, NY 100362711			CHANG, DANIEL D	
			ART UNIT	PAPER NUMBER

2819

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/056,367

Applicant(s)

CHUNG ET AL.

Examiner

Daniel D. Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5, 7-15 and 17-28 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 16 and 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 16, 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Nunomiya et al. (US 6,023,175).

Nunomiya discloses, in Fig. 1, a method or an input buffer circuit comprising:

- first (IN) and second (Vref) differential input terminals, the difference between the input signals providing a differential input signal (IN respect to Vref);
- a first differential amplifier circuit (IF1) with a first digital I/O standard (LVTTL);
- a second differential amplifier circuit (IF2) with a second digital I/O standard (SSTL);
- a first set of one or more switch circuits (113) selectively enabling the first differential amplifier circuit in a first input buffer mode (EN and n10 to select LVTTL mode);
- a second set of one or more switch circuits (108) selectively enabling the second differential amplifier circuit in a second input buffer mode (EN and n10 to select SSTL mode);
- wherein each switch circuit receives a programmable control signal (n10) for selectively enabling the associated differential amplifier circuit.

***Response to Arguments***

Applicant's arguments filed 9/04/2003 have been fully considered but they are not deemed to be persuasive.

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Applicant argues, on page 13 of the Amendment filed 9/4/2003, that "Figure 1 of Nunomiya, the input signal received by the level interface circuit is a single-ended signal." and on page 14, applicant further argues that "the input signals INA and INB of applicants' input buffer circuit are a pair of differential input signals, with common mode relationships between the two differential input signals. Having a differential pair of input signals enables the disclosed input buffer circuit not only to measure the amplitude difference, but also to measure the common mode difference between the two differential input signals (page 9 at line 7 and line 21), which is a capability the level interface circuit of Nunomiya does not have." However, the limitations of which the Applicant relies as discussed above are not stated in the claims. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064. Moreover, since two circuits IF1 and IF2 are differential amplifiers, it is reasonable to call their inputs (gates of 106, 107, 111, and 112) "differential input terminals" (similarly with claim 29). Furthermore, it is noted that "the PTO applies to the verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art," *In re Morris*, 44 USPQ2d 1023, 1027 (Fed. Cir. 1997).

#### ***Allowable Subject Matter***

Claims 2-5, 7-15, and 17-28 are allowable.

#### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

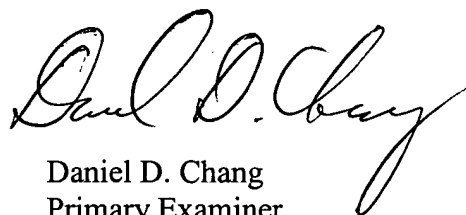
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D. Chang whose telephone number is (703) 306-4549. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Tokar can be reached on (703) 305-3493. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Daniel D. Chang  
Primary Examiner  
Art Unit 2819

**DANIEL CHANG**  
**PRIMARY EXAMINER**

DC  
November 6, 2003